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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,392	09/30/2003	Robert John Lisanke		6849

7590 04/22/2005
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EXAMINER

BERHANU, SAMUEL

ART UNIT	PAPER NUMBER
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2838

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/675,392	Applicant(s) LISANKE, ROBERT JOHN	
	Examiner Samuel Berhanu	Art Unit 2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “a cap fitted over the end of the battery “ and “a snap-type connectors” must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter: "a snap-type connectors" in claim 2 and "a cap fitted over the end of the battery " in claim 5. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

Correction is required:

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 4, 6, 7, 8, 9, 10, 11, 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Binder (US 6,208,115).

As to claim 1, Binder discloses in Figures 1, 2 and 3 a battery substitute comprising a wireless receiver of energy means (18), a charging circuit means (14), and a connector means (figure 2), whereby said charging circuit means (14) transforms energy from said wireless receiver of energy means (18) to a form suitable for charging a battery or cell (11) that is attached to said charging circuit means (11, 14) by said connector means.

As to claim 3, Binder discloses a connector means consists of a conductor of a predetermined size and shape (16 and 17) and said connector means is held in contact with the terminal of a battery powered device by the force of contact between the terminals of the battery (12, 13) and battery-powered

device (column 4 lines 66-67, column 5, line 1)

As to claim 4, Binder discloses a conductor of said connector means is bumped or convex in an area on one side and dimpled or concave in one area on the other side, (16 and 17) whereby said connector means improves the mechanical contact between it and a battery on one side and a terminal of a battery-powered device on the other side, (Column 4 lines 66-67, column 5, line 1)

As to claim 6, Binder discloses, a rechargeable battery (11) connected to said charging means (14) by said connector means, whereby said wireless receiver of energy means (18), said charging circuit means (14), and said connection means form a unit or battery with integrated charging capability. (Figure 1)

As to claim 7, Binder discloses, the device is of a predetermined size whereby it may replace standard sized disposable batteries in portable devices. (Figure 1, element 10, Column 4, lines 53-58)

As to claim 8, Binder discloses, the size and mechanical characteristics of the device are compatible with standard battery size "AA," whereby the unit may substitute for a battery of size "AA" in a battery-powered device. (Figure 1, element 10, Column 4, lines 53-58)

As to claim 9, Binder discloses wherein the size and mechanical characteristics of the device are compatible with standard battery size "AAA," whereby the unit may substitute for a battery of size "AAA" in a battery-powered

device. (Figure 1, element 10, Column 4, lines 53-58)

As to claim 10, Binder discloses, the size and mechanical characteristics of the device are compatible with standard battery size "C," whereby the unit may substitute for a battery of size "C" in a battery-powered device. (Figure 1, element 10, Column 4, lines 53-58)

As to claim 11, Binder discloses, the size and mechanical characteristics of the device are compatible with standard battery size "D," whereby the unit may substitute for a battery of size "D" in a battery-powered device. (Figure 1, element 10, Column 4, lines 53-58)

As to claim 12, Binder discloses, the size and mechanical characteristics of the device are compatible with standard battery size "9V," whereby the unit may substitute for a battery of size "9V" in a battery-powered device. (Figures 1 and 2, element 10, Column 4, lines 53-58)

5. Claim 14 is rejected under 35 U.S.C. 102(b) as being anticipated by Goto (US 5,600,225).

As to claim 14, Goto discloses in Figure 2 a noncontacting charging device, comprising inserting rechargeable batteries into a battery-powered device (Figure 2, elements 2 and 210), connecting a wireless receiver of energy (Figure 2, 212) to the battery through a charging circuit (Figure 2, element 211), and placing the battery-powered device within close proximity to a wireless transmitter of energy compatible with said wireless receiver of energy (figure 2, element 1) whereby a battery-powered device (Figure 2, element 2) formerly

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incapable of supporting in-device battery recharging becomes able to support same.(Column 2, lines 1-18)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Binder (US 6,208,115) in view of Williams (US 5,876,242).

As to claim 2, Binder teaches the claimed invention, except that connector means comprises two standard snap-type connectors for standard battery size 9V with the first snap connector connected between a battery of type 9V and the second snap connector connected to the battery-powered device. However Williams discloses remote battery extension apparatus in Figure 1 comprises two standard snap-type connectors (104,106,108,110) for standard battery size 9V (12) with the first snap connector(connected between a battery of type 9V (106,110) and the second snap connector connected to the battery-powered device (104,108). It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify Binders circuit by adding a snap connection at the terminals as taught by Williams so as to accommodate snap-type batteries.

As to claim 5 Binder teaches the claimed invention, except connector means further comprises a cap fitted over the end of the battery connected to said conductor of said

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connector means such that said conductor is in contact with a battery terminal on one side and a terminal of a battery-powered device on the other side whereby additional stability is provided for the connector means against movement in a radial direction with respect to the axis of a cylindrically shaped battery. However Williams discloses remote battery extension apparatus in Figure 1 comprises a cap (118) fitted over the end of the battery (20,22) connected to said conductor of said connector means such that said conductor(104,106) is in contact with a battery terminal (20,22)on one side and a terminal of a battery-powered device on the other side(104,108) whereby additional stability is provided for the connector means against movement in a radial direction with respect to the axis of a cylindrically shaped battery. It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify Binders circuit by adding a cap over the terminals in order to provide a secure connection between the battery and the charging circuit.

8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Binder (US 6,208, 115) in view of Park et al. (US 6,683,438)

As to claim 13, Binder teaches the claimed invention, except that the device comprises a wireless sender of data, whereby the state of a battery as determined by its charge, temperature, terminal voltage, internal resistance, and by its other measurable characteristics is transmitted by wireless means to a wireless receiver of data. However Park et al. disclose in Figure 2 a contactless battery charger comprising a wireless sender of data (340), whereby the state of

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a battery as determined by its charge, temperature, terminal voltage, internal resistance, and by its other measurable characteristics is transmitted by wireless means to a wireless receiver of data, (Column 3, lines 32-38) .It would have been obvious to a person having ordinary skill in the art at the time of the invention to modify Binder's device and add a monitoring circuit with a photo-coupler transmitter as taught by Park et al. in order to provide users with battery information which is less susceptible to electrical interference.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel Berhanu whose telephone number is 571-272-8430. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michel Sherry can be reached on 571-272-2084. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 4/18/05
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